D. D. File No. 210 (11)

1939.

P. G. Collection No.

CB
24/7/47

Mysore Residency

mas
26/7

Pros. / Serial Nos.

(K)

Subject.

Remission of Sentence

K. D. Anthony Cruz a Dorai

(Rajputana)

Previous References.	Later References.
771/35	

NOTES AND PRECIS.

Dy.No.2516 S.N.1

1

The judgment of the Sessions Judge (appellate court referred to in the letter from the Madras Govt.) has not been received × A copy from our court file is placed below.

2

The petition may be sent U/O to the District Magistrate for favour of his views.

24.3.39.

25. 3. 39

U.O.No....Dis.F.No. 210 - 39. March 1939.

To the District Magistrate, C. and M. Station, Bangalore.

The convict is reported to be an habitual criminal wanted in several cases. There is little doubt that he will revert to crime on release. The remission of his sentence is not recommended.

The Secretary to the Hon'ble the Resident in Mysore, B'lore
U.O.No.1148-C-39, dated the 5th April 1939.

4

Under section 401 (2) of the Criminal Procedure Code, the Resident may consult the Sessions Judge. For orders whether the petition may be rejected as recommended by the

8/4/39

OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE, BANGALORE.
8 APR. 1939
Diary No. 3743.
File No. D.D. 210/39

the District Magistrate or whether before passing final orders, the Sessions Judge should be consulted U/O. (The judgment of the Sessions Judge shows that the petitioner has had a series of previous convictions).

(L)

KC
12.4.39

SECY.

5/ May be rejected.

13/4/39.

Resident. 6/

7/ Draft submitted.

KC
18.4.39

19/4/39.

S. N (2) Issue

Secy.

Dwail.

Record.

P. Rao

CORRESPONDENCE.

HOME DEPARTMENT.

No.Ms.1300

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
10 MAR 1939
No. 25-16
Encl. ....

From

A. R. MacEwen, Esq., C.I.E., M.C., I.C.S.,
Secretary to the Government of Madras,

To

The Hon'ble the Resident in Mysore,
Bangalore.

Dated Fort St. George, the 8th March 1939.

Sir,

Subject:- Convict - Remission of sentence - K. D. Anthony Cruz alias Dorai - No.6746, Central Jail, Salem.

I am directed to forward for your orders the accompanying petition for remission of sentence from the convict mentioned above, together with the nominal roll and copies of the lower and appellate court's judgments relating to him. The judgments may kindly be returned when no longer required.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government.

TJVN.8/3

6746 :—

Salem
dt 17-2-1939

The Secretary to
The Hon'ble Resident
~~The Hon'ble Department~~.
Government of Mysore.
~~Madras~~. Bangalore.

Sir.

I Anthony Convict No. 6746, now undergoing imprisonment in the Central Jail, Salem beg to tender my humble petition, for kind Consideration and favourable orders.

I was Convicted under Sec. 457, 380 & 75 I. P. C, by Lower Court, Bangalore Cantonment, for a period of 5 years

I do admit for my past action It is only my bad association, that has driven me to this, for which I now, do Sincerely feel.

I wish to lead now an honourable life, should a chance be given to me. If only the Government is now pleased to release me of course remitting the unexpired portion of my Sentence I shall Certainly lead an honest life without being detrimental to the interests of the general public.

I am an young man aged only 29 now; and still have a future before me and should only a fair Chance is given to me, I shall try to eke out my livelihood by toiling hard and be a free man.

I have got an aged mother at home none to support except my only

Sout.

Therefore I pray that justice be done to me and an early release is effected.

I beg to remain
Sir

Convict no. 6746

Signed Amlóny in Tamil

rendered in Tamil

Read over to the prisoner, and acknowledged to be correct by him.

Superintendent
Central Jail Salem
17. 2. 39

N.R. Mixed Diet

FORM No. 52.

Judl. (Jail-II)-27—12,560—9-4-38.

(See Rule 879, Jail Manual.)

Nominal Roll of Male * Convict No. † 6746-B3 Name K. D. Anthony Cruz alias Dorai, Residence (Village, Taluk and District) Thimmayya Road, Nettuckery Bangalore Cantt. Caste Indian Christian, Present Age 29 years, Occupation Weaving.

Section and Code under which imprisoned.	Original sentence of order and date.	Adjudicating Court and Calendar number of case.	Unexpired term of sentence after deducting remission earned. Y.	M.	D.	Present state of health and fitness to undertake a journey.‡	Result of appeal (if any).	Conduct in Jail.	Remarks.
1) Sec. 457, 380 and 75 I.P.C. 2) 457, 380 and 75 I.P.C.	1) R.I. for (1) one year each of the charges to run concurrently (in all three years) and NR for (2) two years and NR 5-2-36. ii) R.I. for (1) two years for (2) three years (3) 31-1-36.	i) C.C. 746, 47 and 78/36 Munsiff's Magazine ii) C.C. 2/36 — Dt. C & M. Station Bangalore	1.	5.	6.	I H.	1) Dismissed. 2) Declined	Good	Remission carried up to end of preceding month 187 days. Literate. C. class.

* Strike out and add "Female" when necessary.

† After the prisoner's number, add his class A or B, according as he is classed as a Casual (and whether Star) or Habitual, respectively, and after the letter, add the number of previous convictions, thus—No. 3742 B-2.

‡ When a journey is about to be undertaken by a prisoner, the roll is to be signed by the Medical Officer.

NOTE.—Personal and descriptive marks are to be given on the reverse when (1) rolls accompany prisoners transferred, (2) police assistance is sought for the recapture of an escaped prisoner.

Salem, Central Jail,
17—2—1939.

30.1.41
7.4
23.7.40
17 2 39
6.5.1

Superintendent.

Issued 25/4/39 Hs.

S.N.2

(4)

D.Dis.No.F.210-39/Judl. Dated 25th April 1939.

From

The Secretary to the Resident.

To

The Secretary to the Government of Madras, Home Department, M a d r a s.

Remission of sentence - K.D. Anthony Cruz alias Dorai - No. 6746, Central Jail, Salem.

- - -

Sir,

I am directed to refer to your letter No.Ms.1300, dated the 8th March 1939. ~~After carefully perusing the records~~ The Hon'ble the Resident has ordered that the petition be rejected. The ~~papers~~ copies of judgments received with your letter are returned.

I have etc.,

for

SECY. TO THE RESIDENT